

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

IMS HEALTH INCORPORATED, a Delaware)
corporation; VERISPAN, LLC, a Delaware)
limited liability company,)
)
Plaintiffs,) Case No. 06-CV-280-PB
)
vs.)
)
KELLY A. AYOTTE, as Attorney General of)
the State of New Hampshire,)
)
Defendant.)
_____)

Plaintiffs' Witness List & Designations of Depositions and Declarations

Plaintiffs, IMS Health Incorporated and Verispan LLC, pursuant to the parties' approved Discovery Plan, hereby file their witness list and the designations of deposition and declarations as follows:

A. Witness List

- (1) Dr. Thomas Wharton, Jr., M.D., F.A.C.C
Exeter Cardiovascular Associates
Perry Medical Building
3 Alumni Drive, Suite 206
Exeter, NH 03833
Tel. 603.773.9992
- (2) Jody Fisher
Vice President of Product Management
Verispan LLC
800 Township Line Road
Yardley, PA 19067
Tel. 267-685-4394
- (3) Hossam Sadek
Vice President, Sales Force Effectiveness Business Line
IMS Health Incorporated
660 West Germantown Pike

Plymouth Meeting, PA 19462
Tel. 203.319.4584

- (4) Dr. Göran Ando
Linköping Medical University
581 83 LINKÖPING
SWEDEN
Tel. 011 44 1753 482 454
- (5) Dr. Andrew J. Cole
Massachusetts General Hospital
Director, Epilepsy Service
Neurology Service
55 Fruit Street, VBK 830
Boston, MA 02114
Tel. 617.726.3311
- (6) Dr. Jonathan Glaser
Chief Information Officer
Partners HealthCare of Massachusetts
800 Boylston Street - Suite 1150
Boston, MA 02199
Tel. 617 278.1104
- (7) Randolph B. Frankel
Vice President of Corporate Affairs
IMS Health Incorporated
660 West Germantown Pike
Plymouth Meeting, PA 19462
Tel. 203.319.4584
- (8) Robert Hunkler
Director of Professional Relations
IMS Health Incorporated
16128 Red Mountain Trail
Scottsdale, AZ 85268
Tel. 480.836.8989
- (9) James Mahon
General Manager
IMS Health Incorporated
660 West Germantown Pike
Plymouth Meeting, PA 19462
Tel. 203.319.4584

(10) August Dobish
Vice President of Regulatory Law
Rite-Aid Corporation
30 Hunter Lane Camp Hill,
Pennsylvania 17011
Tel. 717.730.8272

(11) Jeremy Eggleton
c/o Orr & Reno, P.A.
One Eagle Square - P.O. Box 3550
Concord, NH 03302-3550
603.223.9100

(12) Eli Lilly Co. Records Custodian
Lilly Corporate Center
Indianapolis, IN 46285
Tel. 317.651.6523

B. Deposition Designations

The plaintiffs designate the entire depositions, declarations, and exhibits to the depositions and declarations of the following witnesses:

- (1) Dr. Thomas Wharton, Jr., M.D., F.A.C.C
- (2) Jody Fisher
- (3) Hossam Sadek
- (4) Dr. Göran Ando
- (5) Dr. Andrew J. Cole
- (6) Dr. Jonathan Glaser
- (7) August Dobish
- (8) Randy Frankel
- (9) Robert Hunkler
- (10) Jim Mahon
- (11) Jeremy Eggleton

Prior to making this designation, counsel for the plaintiffs discussed the designations with counsel for the defendant. Counsel for the Attorney General advised that he planned to designate the entire depositions and declarations of the Attorney General's witnesses. Counsel then discussed whether the Court might be assisted by designations of only portions of the depositions by page and line number and evidentiary objections, but jointly concluded that such designations and objections would not be helpful because the issues will be tried without a jury and the Court can determine the weight to be accorded the testimony in the depositions. The parties reserve the right to argue regarding the weight to be accorded to any of the declarations, depositions, or exhibits.

Respectfully submitted,

Hunton & Williams LLP

By /s/ Thomas R. Julin

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Attorneys for IMS Health Incorporated and Verispan LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic filing on December 22, 2006, to:

Richard Head
Assistant Attorney General of the State of New Hampshire
33 Capitol Street
Concord, NH 03301
603.271.3658 Fax 2110

s/ Thomas R. Julin